

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION No.: 03 cv 12573 EFH

BERNADINE T. GRIFFITH
Plaintiff

vs.

ONEBEACON INSURANCE COMPANY,
ONEBEACON AMERICA INSURANCE
COMPANY, MICHAEL A. SISTO, and
KAREN ALLEN HOLMES
Defendants

PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT

NOW COMES the Plaintiff, Bernadine T. Griffith, who respectfully moves this Honorable Court to grant the Plaintiff a default judgment against all Defendants in the above-captioned action on the grounds that the Defendants have violated federal laws and the Rules of this Court; intentionally and maliciously published Plaintiff's personal data identifiers and confidential information on PACER in the course of litigation, subjecting the Plaintiff to identity theft; failed to obtain leave of the court to file the Defendants' Motion for Summary Judgment under seal; failed to serve the Plaintiff with a written copy of the July 29, 2005 Defendants' Motion For Summary Judgment, in accordance with the Rules and the July 27, 2005 Order; and failed to comply with discovery orders dated September 14, 2004 and March 15, 2005.

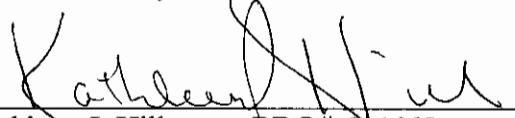
In support of this Motion, the Plaintiff submits her Memorandum of Law herewith and re-incorporates the Plaintiff's Opposition To Defendants' Motion For Summary Judgment with Attorney Affidavit and supporting Memorandum of Law that is filed herewith.

WHEREFORE, the Plaintiff requests this Honorable Court allow the Plaintiff's Motion For Default Judgment and issue an order imposing sanctions pursuant this Court's inherent powers and to Rule 37(b)(2), and render a Default Judgment against the Defendants with regard to Plaintiff's Complaint; schedule a hearing on damages; find the Defendants in contempt of court for their failure to obey the September 14, 2005 and March 15, 2005 Discovery Orders and the July 27, 2005 Order; and in addition thereto, order Defendants and/or its attorneys, jointly and severally, to pay reasonable expenses, including attorney's fees and expenses caused by Defendants' failure to comply with the Court's Orders.

RULE 7.1(d) REQUEST

THE PLAINTIFF RESPECTFULLY REQUESTS ORAL ARGUMENT.

Respectfully submitted,
BERNADINE T. GRIFFITH
By her Attorney,



Kathleen J. Hill BBO# 644665
LAW OFFICE OF KATHLEEN J. HILL
92 State Street, Suite 700
Boston, MA 02109
617.742.0457 (O) / 617.742.4508 (F)

Date: August 11, 2005

CERTIFICATE OF SERVICE

I, Kathleen J. Hill, herein certify that I served a true and accurate copy of the foregoing Plaintiff's Motion for Default Judgment on the counsel of record: *Keith B. Muntyan and Leah M. Moore*, of Morgan, Brown & Joy, Two Hundred State Street, 11th Floor, Boston, Massachusetts 02109 by pre-paid U.S. Mail on this 11th day of August 2005.


Kathleen J. Hill

BBO# 644665